

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 22, 2010

DIVISION ONE

B221347 People
 v.
 Robateau

Filed order dismissing appeal. Appeal (notice of appeal filed October 9, 2009) dismissed.

DIVISION TWO

B220057 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Marvin R.

The judgment terminating father's parental rights is reversed and the matter is remanded to the juvenile court with directions to order DCFS to comply with the notice provisions of ICWA as to the United Keetoowah Band of Cherokee Indians. If, after proper notice, the United Keetoowah Band of Cherokee Indians claims that Jason and Tracey are Indian children, the juvenile court shall proceed in conformity with all provisions of ICWA. If, on the other hand, the United Keetoowah Band of Cherokee Indians claims that Jason and Tracey are not Indian children, the judgment terminating father's parental rights shall be reinstated.

Chavez, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

July 22, 2010 (Continued)

DIVISION TWO (continued)

[illegible]

The judgment is affirmed.

Chavez, J.

We concur: Boren, P.J.
Doi Todd, J.

DIVISION THREE

B214385 People (Not for Publication)
v.
Nestor Manuel Islas

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B215305 People (Not for Publication)
v.
Ronald Fisher

The one-year enhancement imposed pursuant to section 667.5, subdivision (b) is stricken. The clerk of the superior court is directed to prepare an amended abstract of judgment and to forward a copy to the Department of Corrections. As so modified, the judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

July 22, 2010 (Continued)

DIVISION THREE (continued)

B216345 Adolfo Davis (Certified for Publication)

v.

Superior Court, Los Angeles County
(The People)

The petition for writ of mandate is granted. The superior court is directed to hold an in camera hearing in accordance with this opinion.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION FOUR

B214438 People

v.

Alexander

Filed order granting petition for rehearing.

DIVISION FIVE

B220937 Ricardo De Paz, et al. (Not for Publication)

v.

First American Title Insurance Company

The judgment is reversed. Upon remittitur issuance, the petition to vacate the award is to be granted. The petition to confirm the award is to be denied. Plaintiffs, Richard and Norma De Paz, are awarded their costs on appeal from defendant, First American Title Insurance Company.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

DIVISION FIVE (continued)

B215471 Los Angeles County, D.C.F.S. (Certified for Partial Publication)
 v.
 F.G.
 G.G.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment) Armstrong, J. would grand rehearing.

DIVISION SIX

B221014 Department of Social Services (Not for Publication)
 v.
 L.O.

The appeal is dismissed.

Gilbert, P.J.

We concur: Yegan, J.
 Perren, J.

B209657 People (Not for Publication)
 v.
 Saldivar

The judgment is ordered modified to reflect a total of 1,267 days custody credit, consisting of 1,102 days of presentence custody and 165 days of conduct credit. The abstract of judgment is further modified as follows: (1) on count 5, the date of conviction shall be changed from 11-02-05 to 4-12-08; and (2) in Section 12, the check in the box for "other" shall be stricken. The trial court shall prepare and forward a modified abstract of judgment to the California Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

July 22, 2010 (Continued)

DIVISION SIX (continued)

B216531 Barrett, et al.
v.
County of Ventura

Filed order denying petition for rehearing.

B213858 People
v.
Kenneth Barber

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B209657 People
v.
Saldivar

Filed order recalling the remittitur and vacating the opinion.

DIVISION EIGHT

B220539 People (Not for Publication)
v.
Montgomery

The trial court is directed to prepare an amended abstract of judgment showing that defendant has a total of 264 days of presentence custody credit, comprised of 132 days of actual custody credit and 132 days of Penal Code section 4019 conduct credit. A copy of the amended abstract of judgment shall be forwarded to the Department of Corrections and Rehabilitation. As so modified, the judgment is affirmed.

Rubin, Acting P.J.

We concur: Flier, J.
Grimes, J.

July 22, 2010 (Continued)

DIVISION EIGHT (continued)

B220769 People (Not for Publication)
v.
Castelan

The judgment is affirmed.

Bigelow, P.J.

We concur: Rubin, J.
Grimes, J.

B211454	People v. Kim
B217265	In re Kim on Habeas Corpus

Filed order denying petition for rehearing.